

REMARKS

Claims 1-3,6-10 and 26-44 are pending in the above-captioned Patent Application. Claims 1-3, 6-10 and 26-27 are allowed. Claims 28-44 have been rejected.

In the originally filed application, original claims 1-3, 6-10 with amendments were allowed. Applicant in the amendment, added additional new claims 26-40. As stated in the amendment by the applicant, these new claims were believed allowable over the cited art Hovokian. Examiner rejected these new claims 28-40 with a final rejection, without giving Applicant an ability to respond to that rejection. Applicant believed, the rejection was based not on merits, but limitations of the Examiner to examine new claims in addition to original filed claims within one pending application and one payment of fees. Therefore, Applicant filed a Continuation Prosecution Application on 4/3/01 with payment of additional fees and also providing a detailed analysis why the Applicant believes claims 28-40 are different and distinguishable over Hovakinian. Applicant also added new claims 41-44.

Examiner in office action dated May 08, 2001 rejected claims 28-44 under 35 U.S.C 102(b) as being anticipated by Hovakinian. However, a claim is anticipated only if each and every element as set forth in the claims is found in a single prior art reference. Applicant submits that the Examiner has not detailed how each and every element in claims 28-44 is found in the Hovakinian reference. Instead the Examiner provides a brief paragraph that details what Hovakinian teaches.

In this response to the office action of May 08, 2001, Applicant re-iterates the claim by claim detailed analysis and arguments, why the claims 28-40 are different than Hovokian. Applicant requests from the Examiner a reasoned response and requests a Telephone Interview with the examiner to speed up the processing of this application.

CONCLUSION

In conclusion, Applicant respectfully asserts that claims 28-44 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 310 540 4095 for any reason that would advance the instant application to issue.

Dated this 7th day of August, 2001.

Respectfully submitted,


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